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VIA ECF

December 3, 2020

The Honorable Nelson S. Román
The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

Re: Oscar Ithier et. al. v. Frito-Lay North America, Inc., No. 7:20-cv-01810

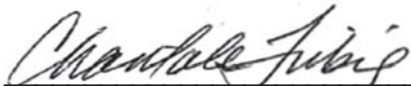
Dear Judge Román:

In accordance with Paragraph I.E. of Your Honor's Individual Rules of Practice in Civil Cases, we write to request an extension of deadlines relating to the briefing schedule outlined in Your Honor's Order issued on November 2, 2020. Counsel for Plaintiffs, Oscar Ithier and Donisha Lloyd, consent to Frito-Lay North America, Inc's ("Defendant") request.

In its Order, the Court waived the pre-motion conference requirement and granted Defendant leave to file its motion to dismiss with the following briefing schedule: Defendant's moving papers are to be served on December 4, 2020; Plaintiffs' opposition papers are to be served on January 4, 2021; Defendant's reply is to be served on January 19, 2021. The Court previously granted an extension of time for Plaintiffs to file an amended complaint by September 10, 2020, but Defendant has not previously sought an extension of time to file its motion to dismiss. The extension of time would permit the parties to continue good faith negotiations regarding resolution of Plaintiffs' claims. Accordingly, Frito-Lay respectfully requests the Court extend Defendant's deadline to file its motion to dismiss to January 15, 2021.

We appreciate the Court's consideration.

Respectfully submitted,




Chantale Fiebig

cc: All Counsel of Record via ECF

Deft's request to extend the motion to dismiss briefing schedule is granted with Pltfs' consent as follows: moving papers are to be served (not filed) on Jan. 15, 2021; opposition papers are to be served (not filed) on Feb. 16, 2021; reply papers are to be served and all motion papers shall be filed on Mar. 3, 2021. Clerk of Court requested to terminate the motion (doc. 18). Dated: Dec. 7, 2020

SO ORDERED:



HON. NELSON S. ROMÁN
UNITED STATES DISTRICT JUDGE